

9 FAM 40.105 NOTES

(TL:VISA-314; 08-31-2001)

9 FAM 40.105 N1 APPLICABILITY OF INA 212(A)(10)(E)

(TL:VISA-314; 08-31-2001)

INA 212(a)(10)(E) applies only to renunciations of U.S. citizenship that took place on or after September 30, 1996.

9 FAM 40.105 N2 CONSULAR OFFICER'S ROLE IN DETERMINING INELIGIBILITY

(TL:VISA-314; 08-31-2001)

The role of the Department and the consular officer is very limited in implementing this ground of ineligibility. Unless the applicant appears as a hit in the lookout system revealing a finding of ineligibility under INA 212(a)(10)(E), consular officers can assume the applicant is eligible.

9 FAM 40.105 N3 WAIVERS

(TL:VISA-314; 08-31-2001)

There is no waiver available for immigrants found ineligible under INA 212(a)(10)(E). Consular officers can recommend nonimmigrants for an INA 212(d)(3)(A) waiver. [See 9 FAM 40.301 Regs/Statutes and 9 FAM 40.301 Notes].